

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA :
:
v. : Case No. 1:05-cr-133-jgm
:
RICHARD E. MOSES, JR. :
:

RULING ON PETITIONER'S MOTION FOR RECONSIDERATION
(Doc. 381)

Petitioner Richard E. Moses, Jr. has moved for reconsideration (Doc. 381) of this Court's October 17, 2013, denial of his motion for recusal (Doc. 379). The Court assumes the parties' familiarity with the underlying facts and extensive procedural history. See United States v. Moses, No. 1:05-cr-133, 2010 WL 3521724 (D. Vt. Sept. 7, 2010), aff'd, 441 F. App'x 795 (2d Cir. 2011), cert. denied, 132 S. Ct. 794 (Nov. 28, 2011).

The standard for granting a motion to reconsider is "strict," and reconsideration is generally denied unless the moving party points to controlling decisions or data that the court overlooked: "matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." Schrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). If the moving party is seeking solely to relitigate an issue already decided, the court should deny the motion for reconsideration and adhere to its prior decision. Id.

Such is the case here. Moses' latest attempt to relitigate his Rule 11 claim in his motion for reconsideration falls far short of Rule 59's strict standard, and the motion is therefore DENIED.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 9th day of January, 2014.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
United States District Judge